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C O N F I D E N T I A L SECTION 01 OF 02 QUITO 000854

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SUBJECT: ECUADOR: POLITICAL SITUATION UPDATE

REF: QUITO 842

1. (C) Summary: The political situation remains fluid in the wake of President Lucio Gutierrez' lifting of the state of emergency. In an emergency session on April 17, Congress unanimously revoked its December 2004 reorganization of the Supreme Court and adjourned until April 19, when it is expected to debate how to choose a new Court. Anti-government protests occurred on April 17 and are expected to continue. In Guayaquil and surrounding provinces, Mayor Jaime Nebot has organized a mobile protest on April 18 in defense of democracy; pro-government marches will also take place today. Ex-president Abdala Bucaram, a destabilizing force, has been vocal in his defense of the president. Quito opposition leaders have called for Gutierrez's resignation and possible impeachment. Vice President Alfredo Palacio condemned Gutierrez' declaration of a state of emergency, and has courted the opposition. Chilean President Ricardo Lagos canceled his visit to Ecuador at GOE request. Embassy and CG Guayaquil outreach to all sectors continues. End Summary.

Congress Terminates Supreme Court; To Discuss Replacement

2. (U) On April 17, Congress President Omar Quintana convened a special session to debate vacating the Supreme Court decreed terminated by President Gutierrez. PRIAN leader Alvaro Noboa called for his legislators to boycott the session to avoid further blame should Congress fail to resolve the issue. After seven hours of debate, Congress voted unanimously (89-0) to nullify its December 8, 2004 resolution installing the current Supreme Court. The new law also says the prior magistrates will not be reinstated. Congress will meet at 10 a.m. on April 19 to debate alternate methods to select a new court.

Reactions to the State of Emergency

3. (U) Ex-president Abdala Bucaram has been busy, making a radio address on April 18 to rant about the "self-interested oligarchy" that has continuously violated the Constitution since 1997. Bucaram decried the people's anti-government protests over the past several days and credited Gutierrez' leadership for the unanimous congressional vote (the first time in 20 years). Press reported on April 17 that in declaring the state of emergency, Gutierrez was following Bucaram's suggestion of how to respond to popular protests. Bucaram reportedly also suggested dissolving Congress, and arresting coup-plotters, if necessary, to prevent the unlawful destitution of the Supreme Court.

4. (U) Government opponents Quito Mayor Moncayo and Pichincha Prefect Ramiro Gonzalez reacted strongly to the state of emergency announcement, with Moncayo calling Gutierrez a dictator and calling for his resignation. Moncayo encouraged Quitenos to continue protesting (non-violently). Gonzalez echoed Moncayo's anti-government sentiments, and called on citizens to block all entrances and exits to Quito (the blockages never happened).

5. (U) Vice President Palacio, never shy to distance himself from his president, announced on April 16 that Gutierrez is a dictator, and blamed him for the "chaos" the country has been experiencing. Palacio emphasized that the people of Quito have experienced "brutal repression," which must be investigated and punished, and called on the President to end the state of emergency.

Lagos Cancels Visit

6. (U) In response to a request from the GOE, Chilean MFA announced on April 16 that he had postponed his upcoming visit to Ecuador. Lagos will visit Brazil and Venezuela as planned and stop in Bogota instead of Quito. He would reschedule the visit to Ecuador once the political situation permits.

Upcoming Street Protests

7. (SBU) A pro-government caravan in Guayaquil will start at

3 p.m. today followed by a larger mobile protest caravan convoked by Guayaquil mayor Jaime Nebot. Teacher unions and university students have announced their participation in Nebot's caravan. Here in Quito, a large protest has been convoked for the evening of April 19 in a park. Thus far, protests have been dispersed in several locations. The April 19 protests is intended to unify these and demonstrate the extent of citizen discontent.

#### Embassy Outreach

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#### 18. (C) Embassy outreach to promote dialogue continues:

-- The Ambassador met separately with President Gutierrez, the Chief of the Armed Forces, and spoke with DefMin Herrera on April 18 (SepTel).

-- The Embassy and CG Guayaquil will continue to encourage dialogue and restraint on the government, the opposition, the military, and civil society.

-- Embassy outreach to several indigenous groups indicates no immediate plan to join demonstrations in large numbers.

-- We are also reaching out to other members of the dipcorps to promote stability and dialogue. The Ambassador met separately with the Japanese and Spanish Ambassadors on April 18, the DCM met with the Honduran Ambassador, and PolOffs will meet with the UN and other interested embassies.

-- The cancellation of the Lagos visit was unfortunate. We are encouraging friendly embassies to consider calls from their leaders to reinforce the dialogue message.

-- CG Guayaquil will contact VP Palacio at a lower level, to reopen relatively dormant lines of communication.

-- We see a possible role for an OAS political mission or a UN mission.

-- AID maintains contact with key citizens groups involved in protests.

-- ECON is reaching out to private sector groups.

-- POL is monitoring developments in the opposition and Congress.

#### Comment

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10. (C) Congress took a relatively easy step forward yesterday by vacating the discredited court. Choosing the members of the replacement Court will be harder. Thus far, Congressional action has not noticeably reduced political tensions.

KENNEY